

ASSEMBLY BILL

No. 1097

Introduced by Assembly Member Eng

February 27, 2009

An act to amend Section 10326 of the Public Contract Code, relating to state contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1097, as introduced, Eng. State contracts: motor vehicles: fuel efficiency.

Existing law establishes procedures for competitive bidding of certain contracts by public entities. Existing law authorizes the state to make certain considerations in establishing bid specifications for the acquisition of motor vehicles.

This bill would require a state agency, department, officer, or other entity to only purchase or lease a motor vehicle that has a fuel efficiency of at least 35 miles per gallon of gasoline.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 10326 of the Public Contract Code is
2 amended to read:
3 10326. (a) (1) *A state agency, department, officer, or other*
4 *entity shall only purchase or lease a motor vehicle that has a fuel*
5 *efficiency of at least 35 miles per gallon of gasoline.*
6 (2) *For purposes of this subdivision, "motor vehicle" means a*
7 *passenger vehicle, light-duty truck, or any other vehicle determined*

1 *by the California Air Resources Board to be a vehicle with a*
2 *primary use that is noncommercial personal transportation.*
3 (b) In establishing bid specifications for the acquisition of motor
4 vehicles and in determining the lowest responsible bidder,
5 consideration may be given by the state to the probable resale value
6 of the vehicles as determined by recognized published used car
7 marketing guides and other established historical evidence of future
8 used motor vehicle value or, in lieu thereof, by contractual
9 guarantee of the apparent low bidder that the resale value of the
10 vehicle will be no less in proportion to bid price than any other
11 comparable vehicle complying with specifications for which a bid
12 was received.